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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,214	06/29/2001	Christopher L. Hess	42390.P11653	9312

8791 7590 12/20/2006 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030	**EXAMINER** PARK, ILWOO	

	ART UNIT	PAPER NUMBER
	2182	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/20/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Since this application has been granted special status under the accelerated examination program,

NO extensions of time under 37 CFR 1.136(a) will be permitted and a SHORTENED STATUTORY PERIOD FOR

REPLY IS SET TO EXPIRE:

ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER,
    FROM THE MAILING DATE OF THIS COMMUNICATION – if this is a non-final action or a *Quayle* action.
    (Examiner: For **FINAL** actions, please use PTOL-326.)

The objective of the accelerated examination program is to complete the examination of an application within twelve months from the filing date of the application. Any reply must be filed electronically via EFS-Web so that the papers will be expeditiously processed and considered. If the reply is not filed electronically via EFS-Web, the final disposition of the application may occur later than twelve months from the filing of the application.

Status

1)☒ Responsive to communication(s) filed on <u>10 October 2006</u>.

2)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

3)☒ Claim(s) <u>1-30</u> is/are pending in the application.

   3a) Of the above claim(s) _____ is/are withdrawn from consideration.

4)☐ Claim(s) _____ is/are allowed.

5)☒ Claim(s) <u>1-30</u> is/are rejected.

6)☐ Claim(s) _____ is/are objected to.

7)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

8)☐ The specification is objected to by the Examiner.

9)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

10)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

11)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   • See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 10/10/2006 have been fully considered but they are

not persuasive. In the Remarks, Applicant argues in substance that Freiberger does not

teach *a phase that comprises a set of one or more web pages because neither a set of*

content data, a clip, nor an image is described as comprising a set of one or more web

pages. The Examiner disagrees: Freiberger indeed teaches a phase [each set of

content data] that comprises a set of one or more web pages [one or more clips in col.

6, lines 57-60] within the web site [e.g., content provider 202, user 203 in fig. 2]. More

specifically, Freiberger discloses that a web sites including applicant manager 201 and

content provider 202 as web servers and users 203 as clients are connected via World

Wide Web Internet [col. 13, lines 37-60; col. 14, lines 12-32; fig. 2]; the content provider

202 as <u>a web server provides each set of data having one or more clips through the</u>

<u>web internet</u> the user; one or more clips of sensory data supplied from the web server

including [col. 6, lines 57-64; col. 7, 23-38] pictures, videos, audios, text,

advertisements, stock ticker information, news programs, etc. are the web pages of

claims. Thus, the arguments are not persuasive and the rejections are respectfully

maintained.

2.   Claims 1-30 are presented for examination.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by

Freiberger et al. [US 6,034,652].

As for claims 1, 10, and 16, Freiberger et al teach a method comprising:

storing [e.g., col. 14, lines 49-67; col. 18, lines 21-31] phase control configuration

data [e.g., figs. 3A-3C] for a Web site [col. 13, lines 44-60], said Web site including [col.

6, lines 52-57; col. 16, lines 18-20] a plurality of sections, wherein a phase [each set of

content data in col. 6, lines 57-60] comprises a set of one or more Web pages [one or

more clips] within the Web site that are grouped [col. 9, lines 54-56; col. 16, lines 23-27]

by functionality and/or order, and further wherein the phase is self-contained [col. 10,

lines 4-8] and independent [col. 10, lines 33-39; col. 10, lines 58-64] of prior or

subsequent phases, but may be dependent [col. 12, lines 33-42; col. 26, lines 23-27] on

completion of a prior phase to facilitate phase order; and

dispatching [col. 16, lines 17-19] a section of said plurality of sections utilizing

said phase control configuration data.

5.   As for claims 2, 11, and 23, Freiberger et al teach modifying said Web site in

response to an alteration of said phase control configuration data [col. 17, lines 49-57].

6.   As for claims 3, 12, and 24, Freiberger et al teach wherein said phase control

configuration data specifies [e.g., col. 4, lines 41-55] an order of said plurality of

sections and dispatching a section of said plurality of sections utilizing said phase

control configuration data comprises selecting said section of said plurality of sections

utilizing said order and displaying a Web page via a Web browser client application [col. 15, lines 19-40; col. 18, line 56-col. 19, line 5] across a communication network in response to selecting of said plurality of sections.

7.   As for claims 4, 17-19, and 25, Freiberger et al teach said Web site includes a plurality of phases and selecting said section of said plurality of sections utilizing said order comprises selecting a phase of said plurality phases utilizing said phase control configuration data [col. 18, line 56-col. 19, line 5].

8.   As for claims 5, and 26, Freiberger et al teach displaying a Web page via a Web browser client application across a communication network comprises displaying a Web page including dynamic content via a Web browser client application [e.g., fig. 6].

9.   As for claims 6, 13, 20, and 27, Freiberger et al teach said phase control configuration data further specifies input data to be collected by said section of said plurality of sections and collecting said input data utilizing a phase control module application [col. 2, line 63-col. 3, line 10].

10.   As for claims 7, 14, and 28, Freiberger et al teach receiving said input data via said Web page and collecting said input data utilizing a phase control module application in response to receiving said input data via said Web page [col. 18, line 56-col. 19, line 5].

11.   As for claim 8, Freiberger et al teach processing said input data utilizing a phase control module application [col. 16, lines 9-18].

12.   As for claims 9, 15, and 29, Freiberger et al teach the phase control configuration data further specifies a Common Gateway Interface (CGI) application associated with

said section of said plurality of sections and processing said input data utilizing said

phase control module application comprises executing said Common Gateway Interface

application on said input data [col. 7, line 64-col. 18, line 5].

13.   As for claim 21, Freiberger et al teach a memory to store phase module

execution backend code and a phase module executor coupled to the memory to

execute the phase module execution backend code on said input data [e.g., col. 23,

lines 56-65].

14.   As for claim 22, Freiberger et al further teach a computer system comprising a

processor to process data and execute instructions, a network interface coupled to said

processor to couple said computer system to a communications network, and a memory

coupled to said processor to store the phase control configuration data discussed above

[col. 14, lines 12-48].

15.   As for claim 30, Freiberger et al teach a network attached storage device [e.g.,

col. 3, lines 43-46; col. 14, lines 15-25].

Conclusion

16.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
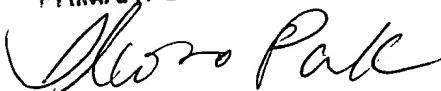
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ilwoo Park whose telephone number is (571) 272-4155. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ILWOO PARK
PRIMARY EXAMINER

Ilwoo Park
December 12, 2006